

## FOURTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, APRIL 22, 1876. }

Senate met pursuant to adjournment, Senator Thompson, President *pro. tem.*, presiding. Roll called. Quorum present. Prayer by the Chaplain.

Journal of Thursday read and adopted.

A message was received from the House announcing that they were now ready to receive the Senate, as per resolution, for the purpose of counting the votes of the late election for Governor, Lieutenant-Governor, and other State officers.

Senator Ford was granted leave of absence for the day.

The Senate then proceeded to the House of Representatives.

The Chief Clerk called the roll of members, and the Speaker announced a quorum of members present.

The Secretary of the Senate called the roll, and the President *pro tempore* announced a quorum of Senators present.

The Speaker then explained the object of the joint session to be for the purpose of counting the returns of the late general election for State officers.

The President *pro tempore* then appointed Senators McLeary, Henry of Limestone and Carroll as tellers on the part of the Senate.

The Speaker appointed as tellers on the part of the House, Representatives Campbell, Newland and Quinn.

The tellers then proceeded to the count of the vote.

Pending the count, on motion of Representative Rust, the joint session adjourned until 3 o'clock p. m.

On motion of Senator McLeary, the Senate retired to the Senate Chamber.

The Secretary called the roll, and the President *pro tempore* announced a quorum present.

A message was received from the House inviting the Senate to again meet them in joint session at 3 o'clock p. m., for the purpose of continuing the count for Governor, Lieutenant-Governor and other State officers.

On motion of Senator McLeary, the invitation of the House was accepted.

Senator McLeary offered the following resolution:

*Resolved*, That a committee of three be appointed to ascertain the number of committee rooms belonging to the Senate, and to apportion the same to the several committees of the Senate.

Adopted.

The President *pro tempore* appointed as said committee Senators McLeary, McCormick and Storey.

Senator Francis offered the following resolution:

*Resolved*, That the Sergeant-at-Arms be required to furnish to each member of the Senate a copy of the General and Special Laws of the years 1873, 1874, and 1875.

Adopted.

Senator Storey offered the following resolution:

*Resolved*, That the Governor's message be referred to the various com-

mittees as follows, viz: That part on judiciary organization, to Committee on Judiciary No. 2; that part on State finances, to Committee on Finance; that part on the General Land Office, to Committee on General Land Office; that part on public free schools, to Committee on Educational Affairs; that part on public printing, to Committee on Public Printing; that part on State Geologist and Immigration Bureau, to Committee on Immigration; that part on the Constitution, to the Committee on Constitutional Amendments; that part on Indian frontier and Rio Grande border troubles, to Committee on Indian Affairs and Protection.

Adopted.

Senator Ledbetter offered the following resolution:

*Resolved*, That the Sergeant-at-Arms be authorized to purchase a sufficient number of indexed copies of the new Constitution to supply each member of the Senate with one copy.

Lost.

Senator McCormick introduced a bill entitled: "An Act to provide for the manner in which publication of notice of intention to apply for the passage of a local or special law, and proof of such publication, shall be made."

Read first time and referred to Committee on State Affairs.

Senator Crain introduced a bill entitled: "An Act to amend Article 771 of 'An Act to adopt and establish a penal code for the State of Texas.'"

Read first time and referred to Judiciary Committee No. 2.

Senator McLeary introduced a bill entitled: "An Act to regulate the carrying of arms, with a view to prevent crime."

Read first time and referred to Judiciary Committee No. 1.

Senator Guy introduced a bill entitled: "An Act to regulate the appointment, and define the duties of Notaries Public."

Read first time and referred to Judiciary Committee No. 2.

Senator Stephens introduced a bill entitled: "An Act to regulate and define the manner in which sales of land and personal property shall be advertised, under execution or order of sale, by Sheriffs, Constables, or other officers."

Read first time and referred to Judiciary Committee No. 2.

Senator Edwards introduced a bill entitled: "An Act to regulate the mode of proceeding and practice in civil cases, in the District Courts of the State."

Read first time and referred to Judiciary Committee No. 2.

Senator McLeary introduced a bill entitled: "An Act to divide the portion of the territory of Texas known as 'Bexar Territory,' and 'Young Territory,' into three counties, to be named, respectively, Hemphill, Wheeler and Lipscomb."

Read first time and referred to Committee on Counties and County Boundaries.

Senator Crain introduced a bill entitled: "An Act to amend an act entitled: 'An Act to amend Article 382, Title II, Chapter 3, of the Penal Code.'"

Read first time and referred to Judiciary Committee No. 2.

Senator Crain introduced a bill entitled: "An Act to amend Articles 396, 397 and 398, of 'An Act to adopt and establish a Penal Code for the State of Texas.'"

Read first time and referred to Judiciary Committee No. 2.

Senator Storey introduced a bill entitled: "An Act to prescribe the order of determining cases in the Supreme Court."

Read first time and referred to Judiciary Committee No. 1.

On motion of Senator Francis, the Senate adjourned until 3 P. M.

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EVENING SESSION.—3 P. M.

Senate met pursuant to adjournment. Roll called. Quorum present.

The President *pro tempore* announced that the hour had arrived for the Senate to again meet the House in joint session, to continue counting the votes of the late general election for State officers, and they would now go in a body to the House of Representatives.

The Senators, accordingly, went to the House of Representatives, in joint session. •

The roll of the Senate was called, and a quorum announced as present.

The roll of the House was called, and a quorum announced as present.

The further count of the vote of State officers was continued, and the result was announced by the Speaker, as follows:

## THE OFFICIAL VOTE

Of the different Counties of the State of Texas for State Officers, cast at an election  
1876, by virtue of An Ordinance passed by the Constitutional Convention, Nov  
of a proclamation by the Governor, resulted as follows ; viz :

Counties.	For Governor.		Lieutenant Governor.		Comptroller.		Treasurer.	
	Richard Coke.....	William Chambers..	Richard B. Hubbard.	F. W. Minor.....	Stephen H. Darden..	N. Bryant.....	Andrew J. Dorn.....	Wm. Umdenstock....
Anderson .....	1,529	995	1,528	987	1,549	986	1,539	984
Angelina.....	642	6	643		638		636	
Aransas.....	208	14	207	15	206	15	206	14
Archer.....								
Atascosa.....	511	9	524	9	577	9	577	9
Austin.....	1,677	750	1,718	723	1,710	725	1,700	739
Bandera.....	263	9	263	2	264	1	264	1
Bastrop.....	1,434	1,014	1,442	1,012	1,454	1,000	1,463	999
Baylor.....								
Bee.....	276	6	277	3	276	3	276	3
Bell.....	2,702	22	2,582		2,711	2	2,715	23
Bexar.....	2,552	1,104	2,681	1,009	2,682	1,010	2,669	1,019
Blanco.....	425	65	421		426	65	419	69
Bosque.....	1,168	6	1,161	4	1,172	1	1,170	1
Bowie.....	873	46	887	44	898	37	885	37
Brazoria.....	413	1,060	414	1,060	413	1,053	413	1,053
Brazos.....	1,330	973	1,334	970	1,333	967	1,325	966
Brown.....	600	1	602		600	1	600	1
Burleson.....	912	556	910	553	933	537	914	553

**THE OFFICIAL VOTE---Continued.**

Counties.	For Governor.		Lieutenant Governor.		Comptroller,		Treasurer.	
	Richard Coke.....	William Chambers..	Richard B. Hubbard.	F. W. Minor.....	Stephen H. Darden..	N. Bryant.....	Andrew J. Dorn.	Wm. Umdenstock...
Burnet.....	752	17	747	16	716	15	717	18
Caldwell.....	1,010	435	1,005	428	1,010	344	1,009	344
Calhoun.....	237	165	238	165	239	164	239	164
Callahan.....								
Cameron.....	1,190	91	1,186	92	1,186	91	539	91
Camp.....	511	281	521	280	520	281	506	281
Cass.....	1,459	350	1,455	351	1,453	350	1,453	350
Chambers.....	221	105	230	80	232	78	232	78
Cherokee.....	1,896	333	1,897	15	2,049		2,044	
Clay.....	313		308		310		306	
Coleman.....	90		95		85		85	
Collin.....	3,131	35	3,017	38	3,113	37	3,110	38
Colorado.....	1,376	1,441	1,356	1,444	1,374	1,438	1,361	1,438
Comal.....	437	354	482	313	472	320	448	344
Comanche.....	878		862		879		876	
Concho.....								
Cooke.....	2,038	8	2,036	8	2,029	8	2,031	8
Coryell.....	1,784	6	1,740	4	1,778	2	1,776	4
Crockett.....								
Dallas.....	4,476	601	4,436	591	4,492	583	4,503	583
Dawson.....								
Delta.....	610	5	601	7	598		596	
Denton.....	2,055	3	2,036	5	2,026		1,874	
De Witt.....	883	451	886	448	888	451	885	448
Dimmitt.....								
Duval.....								
Eastland.....	188		182		180		180	
Edwards.....								
Ellis.....	2,653	2	2,654		2,666		2,667	
El Paso.....	628	19	629	19	629		629	
Encinal.....								
Erath.....	1,063	8	1,057	10	1,064	7	1,067	
Falls.....	1,573	1,076	1,573	1,079	1,569	1,077	1,567	1,073

Fannin.....	1,929	255	1,765	278	1,910	264	1,835	250
Fayette.....	2,480	1,530	2,418	1,544	2,523	1,421	2,430	1,529
Fort Bend.....	300	1,244	297	1,248	275	1,245	276	1,244
Franklin.....	714		711		711		711	
Freestone.....	1,399	549	1,388	546	1,386	546	1,385	546
Frio.....	158	9	170		170		170	
Galveston.....	3,447	1,090	3,463	1,083	3,450	1,082	3,450	1,083
Gillespie.....	222	411	250	368	236	329	285	329
Goliad.....	592	180	577	188	579	186	572	193
Gonzales.....	1,841	313	1,844	316	1,847	311	1,838	313
Grayson.....	4,248	503	4,236	506	4,241	510	4,255	491
Gregg.....	764	433	776	421	770	417	771	423
Grimes.....	1,311	1,462	1,318	1,463	1,316	1,181	1,162	1,187
Gaudalupe.....	840	713	851	712	860	704	857	703
Hamilton.....	698		690		694		694	
Hardeman.....								
Hardin.....	107	19	108		98		95	95
Harris.....	3,426	2,368	3,461	2,311	3,424	2,259	3,374	2,328
Harrison.....	1,122	2,664	1,117	2,663	1,115	2,662	1,110	2,660
Haskell.....								
Hays.....	973	55	953	54	870	53	869	54
Henderson.....	951	279	952	213	959	212	957	202
Hidalgo.....	141	13	141	13	141	5	107	
Hill.....	2,103	1	2,084	1	2,089	1	2,091	1
Hood.....	821		821		823		821	
Hopkins.....	1,987	124	1,966	125	1,916	130	1,947	106
Houston.....	1,376	986	1,275	984	1,271	990	1,273	991
Hunt.....	2,205	58	2,186	47	2,204	55	2,197	55
Jack.....	296	21	283	29	229	73	266	33
Jackson.....	220	240	237	242	238	242	234	242
Jasper.....	633	1	637		645		634	
Jefferson.....	291	102	328		329		331	
Johnson.....	2,269	12	2,203	14	2,223	14	2,235	14
Jones.....								
Karnes.....	331		330		330		330	
Kaufman.....	1,860	45	1,846	43	1,862	43	1,864	43
Kendall.....	122	227	121	225	123	225	130	226
Kerr.....	205	68	202	69	198	69	197	69
Kimball.....	72		65		42	10	65	
Kinney.....	203	25	204	25	204	26	204	26
Knox.....								
Lamar.....	1,891	324	1,859	343	1,908	308	1,902	308
Lampasas.....	667	1	667	1	665		657	
La Salle.....								
Lavaca.....	1,206	328	1,210	326	1,211	324	299	323
Lee.....	1,121	278	1,122	277	1,130	276	1,132	272
Leon.....	1,495	141	1,613	2	1,600		1,605	
Liberty.....	413	367	426	352	414	352	419	349
Limestone.....	1,755	242	1,739	233	1,774	116	1,772	116
Liveoak.....	262	6	265	1	264	1	264	1

**THE OFFICIAL VOTE---Continued,**

Counties.	For Governor.		Lieutenant Governor.		Comptroller.		Treasurer.	
	Richard Coke.....	William Chambers..	Richard B. Hubbard.	F. W. Minor.....	Stephen H. Darden..	N. Bryant.....	Andrew J. Dorn.....	Wm. Umdenstock...
Llano.....	413	2	406		401		415	
McCulloch.....	143		141		141		141	
McLennan.....	2,041	906	2,039	891	2,032	888	2,034	895
McMullen.....								
Madison.....	616	184	620	185	626	185	623	183
Marion.....	729	1,150	713	1,144	752	1,142	753	1,145
Mason.....	246	31	250	25	253	23	253	22
Matagorda.....	277	409	274	413	274	412	273	414
Maverick.....	312	74	312	74	312	74	312	74
Medina.....	234	297	233	297	195	295	234	284
Menard.....	79		79		82		80	
Milam.....	2,305	55	2,332		2,343		2,338	
Montague.....	973		972		969		971	
Montgomery.....	827	814	829	815	828	815	828	815
Morris.....	673	11	688	19	575	18	685	18
Nacogdoches.....	1,236	363	1,232	366	1,231	342	1,234	322
Navarro.....	1,641	337	1,647	408	1,656	395	1,644	397
Newton.....	471		469		461		469	
Nueces.....	1,007	191	1,003	186	1,001	187	1,007	186
Orange.....	224	59	279		277		277	
Palo Pinto.....	380		371		345		345	
Panola.....	1,370	321	1,370	321	1,371	321	1,372	321
Parker.....	1,307	44	1,394	46	1,405	41	1,407	48
Pecos.....	267		268		268		268	
Polk.....	760	131	731	134	739	99	740	99
Presidio.....	235	22	239	21	255		253	
Rains.....	392	2	376	2	381	2	381	2
Red River.....	1,446	875	1,427	877	1,440	878	1,442	879
Refugio.....	301	3	300	4	300	3	300	3
Robertson.....	1,874	1,698	1,891	1,653	1,891	1,657	1,891	1,657
Rockwall.....	303	6	295	6	292	6	293	6
Runnels.....								
Rusk.....	1,727	1,053	1,724	1,052	1,731	1,051	1,716	1,054



Sabine.....	454	147	451	147	451	147	452	147
San Augustine....	495	385	502	382	506	380	501	377
San Jacinto.....	328	524	331	524	335	520	325	520
San Patricio.....	208	6	208	6	203	2	203	1
San Saba.....	574		574		579		575	
Shackelford.....	287	40	281	42	265	53	266	55
Shelby.....	757	305	758	304	757	304	757	303
Smith.....	1,797	1,415	1,734	1,436	1,802	1,439	1,805	1,435
Starr.....	248	70	248	70	248	70	180	69
Stephens.....								
Summerville.....	390		387		387		386	
Tarrant.....	2,593	45	2,576	45	2,587	45	2,585	45
Taylor.....								
Throckmorton....								
Titus.....	865	10	868	15	866		867	
Tom Green.....	130		180		180		179	
Travis.....	2,315	1,858	2,507	1,626	2,487	1,674	2,497	1,656
Trinity.....	564	120	561	120	562	120	562	119
Tyler.....	767	4	768		765		763	
Upshur.....	1,139	213	1,130	214	1,129	215	1,123	214
Uvalde.....	252	3	252	1	251	1	248	1
Van Zandt.....	1,131	18	1,109	19	1,132	17	946	17
Victoria.....	656	423	663	417	657	417	662	418
Walker.....	798	891	791	895	795	895	894	883
Waller.....	656	774	644	783	504	785	504	778
Washington.....	2,201	2,600	2,225	2,592	2,222	2,608	2,210	2,629
Webb.....	646	6	647	7	647	7	616	7
Wegefarth.....								
Wharton.....	116	663	116	663	116	663	116	664
Wichita.....								
Wilbarger.....								
Williamson.....	1,474	166	1,473	463	1,492	162	1,425	164
Wilson.....	886	137	891	135	897	135	897	135
Wise.....	1,086		1,069		1,066		1,066	
Wood.....	1,272	4	1,238	3	1,279		1,271	
Young.....	276		272		270	1	270	
Zapata.....	132	2	134		134			
Zavala.....								
	150,531	47,719	150,418	48,638	150,051	47,818	148,523	47,941



The Speaker of the House declared that Richard Coke had been duly and constitutionally elected Governor of the State of Texas; that R. B. Hubbard had been duly and constitutionally elected Lieutenant-Governor of the State of Texas; that Stephen H. Darden had been duly and constitutionally elected Comptroller of Public Accounts of the State of Texas; that Andrew J. Dorn had been duly and constitutionally elected Treasurer of the State of Texas; that J. J. Groos had been duly and constitutionally elected Commissioner of the General Land Office of the State of Texas; and that H. H. Boone had been duly and constitutionally elected Attorney-General of the State of Texas.

On motion of Senator Storey, the Senators returned to the Senate Chamber.

#### IN SENATE.

Roll called. Quorum present.

Senator Hobby, for Committee on Revision of Statute Rules, submitted the following report:

COMMITTEE ROOMS, AUSTIN, April 22, 1876.

*Hon. Wells Thompson, President pro tem. of the Senate:*

Your Committee on Revision of Senate Rules of Order, and Joint Committee on Rules of Joint Session, have had the subject of the revision of Senate rules and the joint rules of the two Houses under consideration, and have instructed me to report the accompanying "Rules of the Senate," together with the accompanying "Joint Rules of the two Houses," and recommend that they be adopted.

EDWIN HOBBY, *for Committee.*

On motion of Senator Grace, the Senate adjourned until Monday next, at 10 A. M.

#### FIFTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, April 24, 1876. }

Senate met pursuant to adjournment. Roll called. Quorum present. Prayer by the Chaplain.

Journal of Saturday read and adopted.

Senator Hobby presented the credentials of J. P. Douglass, Senator elect from the Seventh Senatorial District. The Senator came forward and took the oath of office.

Upon motion of Senator Ledbetter, Senator Carroll was excused for the day on account of sickness.

Senator Hobby, Chairman of Judiciary Committee No. 1, submitted the following reports:

*Hon. R. B. Hubbard, President of the Senate:*

Your Judiciary Committee No. 1 have instructed me to report that the assistance of a clerk for the committee is required, and have selected Mr. J. H. Reed for that purpose, subject to the approval and consent of the Senate, and that he be recognized as such from the date of his appointment, viz: the 20th inst.

EDWIN HOBBY, *Chairman.*

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee No. 1 on Judiciary, to whom was referred a bill to